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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/069,320

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Marko Siiskonen

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09/01/2005

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EXAMINER

NGUYEN, QUYNH H

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/069,320	SIISKONEN ET AL.	
	Examiner	Art Unit	
	Quynh H. Nguyen	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 5 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 5 recites, "said type of notification is that of terminal terminated Unstructured Supplementary Service Data". It is unclear what "Unstructured Supplementary Service Data" means and it was not described in the specification. For the purpose of examining, Examiner assumes that claim 5 reads as "said type of notification is that of terminal terminated data packets".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-3, 5-6, 10-13, 20-21, 23-26, and 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Burg (U.S. Patent 6,724,878).

As to claim 1, Burg teaches a method of notifying a call forwarding party about a forwarded call, said method comprising the steps of: forwarding a call from a calling party (Fig. 1, 116) to a destination (col. 7, lines 46-48 and lines 54-57) defined by the call forwarding party (Fig. 1, 118); establishing a content of a notification about the forwarded call (col. 7, lines 54-60); and sending the notification by a service of a communication network to a terminal of the call forwarding party, wherein the notification comprises said content (col. 8, lines 58-60).

As to claims 2 and 21, Burg teaches the content comprises information about at least one of a calling party number (col. 8, lines 58-60), a call duration, a type of forwarding, a time of forwarding, a call charge and a number to which said call has been forwarded.

As to claims 3 and 26, Burg teaches the information comprised by the content of the notification corresponds to data which is processable by the terminal of the call forwarding party (col. 8, lines 58-67).

As to claim 5, Burg teaches the type of the notification is that of terminal terminated packets data (col. 8, lines 58-67).

As to claim 6, Burg teaches sending of the notification is performed by utilizing a packet data bearer (col. 8, lines 58-67).

As to claim 10 and 11, Burg teaches the service responsive for sending the notification to a terminal of a call forwarding party and call forwarding request is a service within intelligent network SCP (col. 3, line 65 through col. 4, line 7).

As to claims 12 and 13, Burg teaches the content includes at least part of the conditions that have resulted in call forwarding and the conditions are the data on which the forwarding service has made the decision to forward the call (col. 7, lines 38-62).

As to claim 20, Burg teaches a communication network comprising: a call forwarding service device (CO 108) which is able to determine a calling party number (col. 7, lines 38-60); a device for measuring a call duration of a forwarding call (col. 2, lines 32-36 - *where Berg discussed setting an available for incoming calls state and not available for incoming calls state, hence is inherently that the call duration of a forwarding call need to be determined in order to switch between states*); and a service device (processor 205) for sending a notification to a terminal of a call forwarding party (col. 8, lines 58-60).

As to claims 23 and 40-41, Burg teaches at least some of the functionalities of the call forwarding service device, measuring device, notification sending service device and voice processing server are implemented into one single device (CO 108 for forwarding calls and a device for measuring a call duration of a forwarding call are implemented in one single device).

As to claims 24 and 42-43, Burg teaches at least some of the functionalities of the call forwarding service device, measuring device, notification sending service device

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and voice processing server is distributed over at least two different devices (call forwarding device and voice processing device is distributed over two different devices).

As to claim 25, Berg teaches the steps of: means adapted for setting a call forwarding service device of a communication network to which network said terminal subscriber (col. 7, lines 38-60 - CO 108); means adapted for receiving a notification about a forwarded call (col. 8, lines 58-60 - station 118); and means adapted for displaying a content of said notification (Fig. 1, terminal 114).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 7-9, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burg (U.S. Patent 6,724,878) in view of Pepper et al. (U.S. Patent 5,930,700).

As to claims 4, 7, and 22, Berg does not teach the notification is a message of the Short Message Service or voice processing.

Pepper et al. teaches notifying / alerting the subscriber (col. 12, lines 35-41) via the subscriber's PCS connected to a wireless communications network such as Short Message service or voice processing (col. 2, lines 42-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of notifying the subscriber via a message

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of the Short Message Service or voice processing, as taught by Pepper, in Berg's system thus making the system more efficient and diverse by notifying the subscriber via different kinds of communications.

As to claims 8 and 9, Pepper et al. teaches the service responsive for sending notification to a terminal of a call forwarding party is a service within a mobile network and Wireless Telephony Applications server (col. 1, line 65 through col. 2, line 61).

7. Claims 14-19, 27-29, 31-32, 36-37, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burg (U.S. Patent 6,724,878) in view of Shen et al. (US 2001/0010691).

As to claims 14, 28-29, 31-32, and 36-39, Berg does not teach a break-off condition of the forwarded call is predefined by a user of the terminal, and the notification is sent when the break-off condition is fulfilled, after which the method further comprises the step of accepting or refuse a continuation of the forwarded call.

Shen et al. teaches a break-off condition of the forwarded call is predefined by a user of the terminal, and the notification is sent when the break-off condition is fulfilled, after which the method further comprises the step of accepting or refuse a continuation of the forwarded call (page 5, [0035] - *where Shen discussed prompting the user with selection menu options of accepting a call forwarding / refusing a break-off condition of the forwarded call or routing the incoming call to a destination, i.e., answering machine; and page 4, [0029] - where Shen discussed the user accept a break-off condition of the forwarded call and the subscriber can accept the incoming call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above-mentioned feature as taught by Shen, in Berg's system thus making the system more efficient by allowing the user or subscriber to control of the enabling and disabling the call forwarding in order to better handling the incoming calls based on his or her schedule.

As to claims 15 and 16, Berg and Shen do not teach the braking-off condition is one of a maximal call charge and a maximal call duration depending on the calling party number including the possibility that no break-off condition exist for some certain calling party numbers. Selective call forwarding is an old and well-known telephony feature, and the advantage of using it is also well known. For example, the user / subscriber forwards all incoming calls except for important calls from his or her boss, spouse, or emergency calls.

As to claims 17, 19, and 27, Shen et al. teaches an input to the terminal in reaction to the prompting is manually and automatically performed by the user (page 5, [0035]).

As to claim 18, Berg and Shen do not teach the forwarded call is cleared if there is no input within a specified time. This feature is also well known and the advantage of using it is also well known. For example, setting the time out to time out after a certain time period waiting for a response from the user, hence saving system resource.

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8. Claims 30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burg (U.S. Patent 6,724,878) in view of Pepper et al. (U.S. Patent 5,930,700) and further in view of Shen et al. (US 2001/0010691).

Claims 30 and 33-35 are rejected for the same reasons as discussed above with respect to claim 14.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burg (U.S. Patent 6,775,370) teaches method and system for processing a telephone call while on-line.

Shtivelman et al. (U.S. Patent 6,078,581) teaches Internet call waiting.

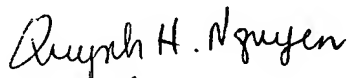
Norris et al. (U.S. Patent 5,805,587) teaches call notification feature for a telephone line connected to the Internet.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen
Patent Examiner
Art Unit 2642